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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,725	06/21/2000	Atul N. Sinha	PHA 23,720P	7040
7590	01/28/2004		EXAMINER	
PHILLIPS INTELLECTUAL PROPERTY & STANDARDS 1109 MCKAY DRIVE; MAIL STOP SJ41 SAN JOSE, CA 95131			HO, DUC CHI	
			ART UNIT	PAPER NUMBER
			2665	
			DATE MAILED: 01/28/2004	

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/598,725	SINHA, ATUL N.	
	Examiner Duc C Ho	Art Unit 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11-12-03.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2-6,8-12 and 14-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 2,5,6,8,9,11,12 and 14-22 is/are rejected.
- 7) Claim(s) 3,4 and 10 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 2, 9, 17, 20, 5-6, 21-22, 8, 11, 12, 14-16, and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Hartmaier et al.(US 6,304,753), hereinafter referred to as Hartmaier.

Regarding claim 2, Hartmaier discloses an integration of voice and data services provided to a mobile wireless device.

enabling access to a gateway for interfacing with a mobile telephone (the RBS 160-fig. 1 provides access as a gateway to the mobile telephone 170, see column 2-line 65 to column 3-line 11);

enabling access between the gateway and the data network (the RBS 160-fig. 1 provides access to the data network 140-fig. 1 via the MSC 120, see column 2-line 65 to column 3-line 64);

enabling access to a user profile, associated with the user, that is located on the data network, and further enabling the user to communicate in dependence upon this user profile (the HLR 110 determines whether the mobile unit 170 is authorized to obtain service from the network by accessing the user profile having the field Permanent IP (PIP) address 306-fig. 3A stored in DB 116 of HLR 110, see column 4, lines 20-50).

Regarding claim 9, Hartmaier discloses an integration of voice and data services provided to a mobile wireless device.

providing a network access to a gateway for interfacing between the mobile telephone and the Internet (the RBS 160-fig. 1 provides access as a gateway between the mobile telephone 170 and the Internet 140, see column 2-line 65 to column 3-line 55);

providing a user dependent interface to the mobile telephone, based on a user-profile that is accessible via the Internet (the field Permanent IP (PIP) address 306-fig. 3A from the user profile is used as a user dependent interface. The PIP is stored in the data base 116, and is accessible via the data network 140, see column 4, lines 20-50).

Regarding claim 17, this claim has similar limitations as claims 2, and 9. Therefore, it is rejected under Hartmaier for the same reasons set forth in the rejection of claims 2, and 9.

Regarding claim 20, this claim has similar limitations as claims 2, and 9. Therefore, it is rejected under Hartmaier for the same reasons set forth in the rejection of claims 2, and 9. The

PIP is considered as a unique VoIP-name to facilitate network communication specific to the mobile user.

Regarding claim 21-22, this claim has similar limitations as claim 20. Therefore, it is rejected under Hartmaier for the same reasons set forth in the rejection of claim 20.

Regarding claim 5, the MSC 120-fig. 1 is connected to a PSTN, see column 3, lines 38-40.

Regarding claim 6, a caller initiates from the PSTN is capable of communicating with the mobile telephone 170-fig. 1 when the mobile phone number is dialed.

Regarding claim 8, the RBS 160-fig. 1 is configured to provide a communication path between the mobile telephone and the data network 140, based on the PIP associated with the mobile telephone.

Regarding claim 11, the PIP of the mobile telephone 170-fig. 1 can be checked to determine its accessibility to the data network.

Regarding claim 12, the RBS 160-fig. 1 can provide access to other mobile telephones.

Regarding claim 14, the data network 140 is the Internet.

Regarding claims 15-16, a computer program (interface application) of the processor 112-fig. 1 and the memory 114 is configured to facilitate connections between the mobile 170 to other telephone instrument via the mobile's PIP address.

Regarding claim 18, the RBS is configured to communicate with other mobile telephones via their respective PIP addresses.

Regarding claim 19, each mobile telephone has its own PIP field and this field is configured as a way to provide user-dependent interface.

Allowable Subject Matter

4. Claims 3-4, and 10 are objected to as being independent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 2, 9, 17, and 20-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (703) 305-1332. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4750

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703)- 872-9306

Art Unit: 2665

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Patent Examiner



Duc Ho

1-21-04